

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-15 are pending in the present application. Claims 1, 3, 7, 9 and 13 are amended by the present amendment. Claim amendments find support in the application as originally filed, thus, no new matter is added.

In the outstanding Action, Claims 1-15 were rejected under 35 U.S.C. §103(a) as unpatentable over Hoshino (U.S. Pat. No. 6,003,113) in view of Wichmann (U.S. Pat. No. 6,415,160).

Addressing now the rejection of Claims 1-15 under 35 U.S.C. §103(a) as unpatentable over Hoshino and Wichmann, that rejection is respectfully traversed.

Amended Claim 1 recites, in part,

transmitting a first resource management instruction for making ready or releasing resources to a resource management centre external to the resource module, the first resource management instruction comprising a module identification identifying the resource module;

determining in the external resource management centre if sufficient resources are available in the resource module identified through the module identification to meet requirements of the first resource management instruction;

transmitting a second resource management instruction from the external resource management centre via an external telecommunication network to the resource module identified through the module identification;

making ready or releasing resources, in accordance with the received second resource management instruction, through a resource control mechanism in the identified resource module;

transmitting a resource management confirmation from the identified resource module via the telecommunication network to the external resource management centre; and

storing information in the external resource management centre about the resources made ready or released, the information being stored assigned to the module identification.

Claim 7 recites a system claim including analogous features and Claim 13 recites the resource management centre with analogous features.

Hishino describes an IC card that is configured to run various applications as requested by a host apparatus to which the IC card is directly connected and to monitor and ensure that data stored on the IC card is not accessed by an unauthorized application. Further, according to Hoshino, the IC card is connected to different types of host apparatuses for different applications.¹ In addition, Hoshino explicitly states that the accepting portion of the IC card (Figs. 1 and 2) accepts application processing requests from the host apparatus through the un-illustrated connect portion.² Thus, according to Hoshino, the IC card is inserted and connected with the host apparatus through a connect portion and an application processing request is transferred from the host apparatus through the connect portion to the IC card.

However, Hishino does not describe or suggest transmitting a first resource management instruction for making ready or releasing resources to a resource management centre external to the resource module, the first resource management instruction comprising a module identification identifying the resource module, as is recited in Claim 1.

In other words, while Claim 1 recites that the first resource management instruction includes *a module identification identifying the resource module*, Hinshino does not describe or suggest this feature. In addition, further evidence that Hinshino does not describe this feature is that the system described in Hinshino has no need for a module identification as the IC card of Hinshino is already directly connected with the host apparatus. Therefore, Applicants respectfully submit that Hinshino in no way describes or suggests the first resource management instruction comprising a module identification identifying the resource module.

¹ see Hoshino, col. 10, lines 59-65.

² see Hoshino, col. 12, lines 27-30.

Further, Hinshino does not describe or suggest determining in the external resource management centre if sufficient resources are available in the resource module identified through the module identification to meet requirements of the first resource management instruction, as recited in Claim 1.

In addition, Hinshino does not describe or suggest transmitting a second resource management instruction from the external resource management centre *via an external telecommunication network* to the resource module identified through the module identification, as is recited in Claim 1.

In other words, as noted above, Hinshino is directly connected to the host apparatus, therefore, as is acknowledged in the outstanding Action, there is no description or suggestion of transmitting an instruction via an external network. In addition, there is no description or suggestion in Hinshino of transmitting a second resource management instruction from the external resource management centre *via an external telecommunication network*.

The outstanding Action relies on Wichmann as curing the above noted deficiencies of Hinshino with regard to the claimed invention.

Wichmann describes an apparatus for determining a memory requirement needed on a smart card, so that the subscriber can issue a corresponding request for loading a predetermined application on the smart card. In addition, the apparatus of Wichmann includes a central management unit with an application database and a SIM database. The application database contains application specific data, particularly memory requirements of the respective applications. The SIM database contains card-specific data such as IMSI, MSISDN and card type data. In Wichmann, the memory requirement of a specific application can be interrogated by a subscriber in the central management unit. Further, the memory reserve on the corresponding smartcard can be checked directly via a message unit which interrogates a memory identification signal on the smart card by means of short messages.

Thus, although Wichmann describes that a central management unit 1 can communicate with a smart card via short messages, Applicants respectfully submit that this feature cannot be properly combined with Hinshino in order to describe transmitting a second resource management instruction from the external resource management centre via an external telecommunication network to the resource module identified through the module identification, as is recited in Claim 1.

Specifically, the mere combination of the short messages of Wichmann with the system of Hinshino is not enough to produce the features of the claimed invention. Clearly one skilled in the art with knowledge of both Wichmann and Hinshino would not have known how to make the application processing request of Hinshino into a short message as disclosed in Wichmann. The removal of the physical connection of the IC from the apparatus produces a number of new issues that are not addressed in either the Wichmann or the Hinshino reference. In contrast, the claimed invention provides the novel steps needed to produce a system that is able to manage the resources of a *portable* resource module. In other words, Hinshino describes that an IC that is physically connected to a host apparatus can extract an area of memory for processing corresponding to a request however the mere existence of a communications network in combination with this feature is not enough to anticipate the claimed invention.

Accordingly, Applicants respectfully submit that for at least the above noted reasons Claim 1 and similarly Claims 7 and 13 and claims depending therefrom patentably distinguish over Wichmann and Hinshino considered individually or in combination.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

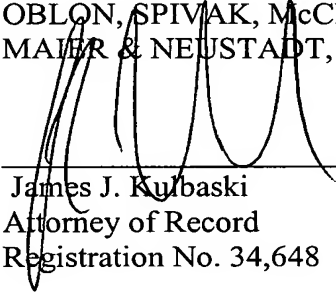
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Respectfully submitted,

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